

RECEIVED  
CENTRAL FAX CENTER  
MAY 30 2007

## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Attorney Docket No.: 2950.27US01

Buckley et al.

Confirmation No.: 5623

Application No.: 09/435,748

Examiner: M. Ruthkosky

Filed: November 8, 1999

Group Art Unit: 1745

For: BATTERIES WITH THIN ELECTRODES

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCESRESPONSE TO SUPPLEMENTAL ANSWER

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

COMMENTS

In response to the Examiner's Answer of May 24, 2007, Appellant respectfully submits the following comments. Appellant filed a Reply Brief on October 3, 2006, and the file was forwarded to the Board. Evidently in response to a supplemental Information Disclosure Statement filed by Appellant on December 5, 2006, the file for returned to the Technology Center. The Examiner reviewed the references as evidenced by a signed PTO 1449 form. However, the Examiner further submitted a new Examiner's Answer. This Answer does not seem to raise any new issues or rejections. The only change identifiable by Appellant is the correction of a minor omission of references in section (8) of the Examiner's Answer.

Application No. 09/435,748

Thus, Appellant respectfully incorporates by reference Appellant's Reply Brief of October 3, 2006, and respectfully requests return of the file to the Board for prompt consideration.

Respectfully submitted,



Peter S. Dardi, Ph.D.  
Registration No. 39,650

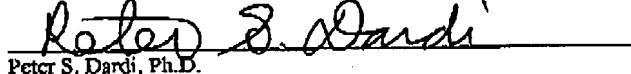
Customer No. 62274  
Dardi & Associates, PLLC  
Suite 2000, U.S. Bank Plaza  
220 South 6th Street  
Minneapolis, Minnesota 55402  
Telephone: (404) 949-5730

*Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 50-3863.*

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office, Fax No. 571-273-8300 on the date shown below.

May 30, 2007  
Date

  
Peter S. Dardi, Ph.D.

## DARDI &amp; ASSOCIATES, PLLC

ATTORNEYS AT LAW

Intellectual Property-patents,  
trademarks & copyrightsPeter S. Dardi, Ph.D.  
Curtis B. Herbert, Ph.D.

## FACSIMILE COVER SHEET

TOTAL NUMBER OF PAGES BEING SENT: 3

[ ] Original documents to follow by mail [ X ] No originals will be sent

DATE: May 30, 2007

TO: Examiner Mark Ruthkosky  
Group Art Unit 1745PHONE #: 571-272-1291  
FAX #: 571-273-8300Application No.: 09/435,748  
Applicant: Buckley et al.

OUR REF.: 2950.27US01

FROM: Peter S. Dardi, Ph.D.  
PHONE #: 404-949-5730

Attached is the following for filing in the above-identified application.

(1) Response to Supplemental Answer.

Respectfully submitted,

*Peter S. Dardi*Peter S. Dardi, Ph.D.  
Registration No. 39,650

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office, Fax No. 571-273-8300 on the date shown below.

May 30, 2007  
Date*Peter S. Dardi*  
Peter S. Dardi, Ph.D.

THIS FACSIMILE TRANSMISSION CONTAINS LEGALLY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED FOR THE PARTY IDENTIFIED ABOVE. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE CALL DARDI &amp; ASSOCIATES, PLLC COLLECT AT (612) 746-3005. DISTRIBUTION, REPRODUCTION OR ANY OTHER USE OF THIS TRANSMISSION BY ANY PARTY OTHER THAN THE INTENDED RECIPIENT IS STRICTLY PROHIBITED.